

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YAYA JALLOW,

Plaintiff,

-against-

STATE OF NEW YORK; CITY OF NEW
YORK,

Defendants.

20-CV-8001 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, appearing *pro se*, brings this action under 42 U.S.C. § 1983, alleging that Defendants violated his rights when he lived at a shelter operated by the Bowery Residents' Committee (BRC), as well as at other shelters within the New York City shelter system. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this Court a substantially similar complaint against Defendants. *See Jallow v. Dep't of Soc. Servs. City of New York*, ECF 1:20-CV-6511, 2 (S.D.N.Y., filed Aug. 14, 2020) ("*Jallow I*"). In *Jallow I*, Plaintiff alleges that his rights were violated at the BRC during the same period of time he claims that Defendants in this action violated his rights at the BRC, as well as at other New York City shelters. As this complaint raises the same claims as Plaintiff raises in *Jallow I*, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number 20-CV-6511.

CONCLUSION

Plaintiff's complaint is dismissed as duplicative. The Clerk of Court is directed to terminate all motions.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

Plaintiff has consented to electronic service. (ECF No. 3.)

SO ORDERED.

Dated: November 30, 2020
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge